

Bill To

Kmart - Sears Holding Cor
Department 824RE
3333 Beverly Road
Hoffman Estates, IL 60179

Date		Transaction			Amount	Balance
11/01/2017		Monthly Rent/Lease Charge - November 2017			58,629.92	58,629.92
12/01/2017		Monthly Rent/Lease Charge - December 2017 balance			29,945.39	88,575.31
03/07/2018		INV #121517-4. Orig. Amount \$6,337.69. cost of sewage line emergency at Kmart, Oct-Nov 2016			6,337.69	94,913.00
05/26/2018		CAM Billing for 2016, parking lot			67,309.19	162,222.19
08/24/2018		August water bill			1,205.50	163,427.69
09/12/2018		2018 R/E Tax			55,938.57	219,366.26
10/02/2018		September water bill			1,107.45	220,473.71
10/28/2018		October water bill			1,219.35	221,693.06
10/29/2018		CAM Billing for 2017, parking lot			69,052.54	290,745.60
11/21/2018		November water bill			1,434.58	292,180.18
12/17/2018		PMT #140049479.			-11,954.01	280,226.17
12/21/2018		December water bill			1,657.85	281,884.02
01/22/2019		January water bill			1,715.18	283,599.20
CURRENT		1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
1,715.18		1,657.85	1,434.58	137,581.08	141,210.51	\$283,599.20

This Agreement is made this 15th day of January, 1992, by and between TUTU PARK, LIMITED a U.S. Virgin Islands Limited Partnership (hereinafter referred to as "Landlord"), whose address is TUTU Park Limited, No. 10 Estate Charlotte Amalie, St. Thomas, Virgin Islands 00804, and K MART CORPORATION, a Michigan corporation (hereinafter referred to as "Tenant"), having its principal office at 3100 West Big Beaver Road, Troy, Michigan 48084.

WHEREAS, by a Lease dated November 14, 1991, (the "Lease"), Landlord demised to Tenant a portion of the Shopping Center described in said Lease; and

WHEREAS, Landlord and Tenant desire to amend the Lease and establish certain agreements regarding the enlargement of the Demised Premises in this First Amendment To Lease (the "Lease Amendment"); and

WHEREAS, the parties hereto desire to amend the Lease as hereinafter set forth to enlarge the Demised Premises, and to establish certain agreements regarding the same.

NOW THEREFORE, in consideration of the mutual promises and other covenants and conditions contained herein, it is hereby agreed by and between Landlord and Tenant as follows:

1. Demised Premises.

A. Article 1 of the Lease is hereby amended to delete Exhibit A, the legal description of the Demised Premises, and Exhibit B, the Plot Plan of the Demised Premises, and to substitute the new Exhibit A and the new Exhibit B, attached hereto. Any reference in the Lease to Exhibit A or Exhibit B shall hereafter refer to the attached Exhibit A or Exhibit B dated December 18, 1991.

B. Article 1 of the Lease is further amended to delete:

Kmart Building: 361'6" in width by 239'4" in depth
TOTAL SIZE: 86,479 square feet

and to substitute therefore:

"Kmart store unit: 381'4" in width by 273'4" in depth
for a total of 104,231 square feet

* 2. Annual Minimum Rental.

Article 3 of the Lease is hereby amended to delete the stated annual minimum rental of FIVE HUNDRED EIGHTY-THREE THOUSAND SEVEN HUNDRED THIRTY-THREE DOLLARS (\$583,733.00), and substitute in its place a new annual minimum rental of SEVEN HUNDRED THREE THOUSAND FIVE HUNDRED FIFTY NINE DOLLARS (\$703,559.00).

3. New Building by Landlord

RENTAL

\$58,629.92/mo

Article 6 of the Lease is hereby amended to delete: ".... rough site grading shall be completed and foundations and footings commenced not later than May 1, 1990."

and to substitute therefore: ".... rough site grading shall be completed and foundations and footings commenced not later than June 30, 1992."

Article 6 of the Lease is further amended to delete: ".... and possessions thereof tendered to Tenant prior to June 1, 1991,"

and to substitute therefore: " and possession thereof tendered to Tenant prior

DECEMBER 2017
RENT PMT.

STORE NO.	DOCUMENT NUMBER	P.O. NUMBER / FICHE NO(*)	DOC. DATE	ENTRY CODE	DOCUMENT AMOUNT	DISCOUNT AMOUNT	DISCOUNT % CODE	DEPT NO.
0850001	29,945.39CR	530	RDED PER CF#64316290L					
0382901	58,629.92 ✓	400	Minimum Rent Expense					St. Thomas, Virgin Islands
DOCUMENT TOTAL						CHECK AMOUNT		
28,684.53						28,684.53		
<p>\$ 29,945.39 Rent reduction - <u>NOT ALLOWED.</u></p>								
DOCUMENT TOTAL		DISCOUNT TOTAL		1099 WTAX TOTAL		NET AMOUNT		

\$28,684.53

03 20 28 37 21 06 1 1 1 2788 33 59990986

Tutu Park, Ltd. Statement of Amounts Due Pg 4 of 18

4605 Tutu Park Mall
Suite 254
St Thomas, VI 00802

Invoice

Invoice #: 121517-4
Invoice Date: 3/7/2018
Due Date: 3/7/2018
Project:
P.O. Number:

Bill To:
Kmart - Sears Holding Cor
Department 824RE
3333 Beverly Road
Hoffman Estates, IL 60179

Date	Description	Amount
3/7/2018	cost of sewage line emergency at Kmart, Oct-Nov 2016	6,337.69

Total	\$6,337.69
Payments/Credits	\$0.00
Balance Due	\$6,337.69

Tutu Park Mall

Kmart

CAM 2016

CAM Security Payroll	359,849.74		
CAM Maintenance Payroll	<u>271,866.60</u>		
	631,716.34		
	<u>25%</u>		
25% allocated to 'outside'		157,929.09	
CAM Parking Lot Maintenance			
CAM Landscaping		15,533.11	
CAM Parking Lot Cleaning		<u>44,199.96</u>	
Total 'outside' expenses		217,662.16	
		<u>30.9237%</u>	
Amount Due			<u><u>67,309.19</u></u>

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802

Water Utility Bill

Kmart – Sears Holding Corp.
Department 824RE
3333 Beverly Road
Hoffman Estate, IL 60179

Billing Date: August 23, 2018

<u>Previous Reading</u>	<u>Meter Reading</u>	<u>Consumption</u>	<u>Rate</u>	<u>Amount Due</u>
7645810 gal.	7689330 gal.	43,520 gal.	0.0277	1,205.50
			Total Due:	<u>1,205.50</u>

Please make checks payable to Tutu Park Limited

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802-1736

Real Estate Tax Statement – 2018

Kmart

September 18, 2018

Kmart's pro rata share of tax liability against BUILDINGS:

Tax liability against the buildings located within the land described in Exhibit A:

<u>Date Paid</u>	<u>Building No.</u>	<u>Parcel No.</u>	<u>Tax Liability</u>
Sep. 18, 2018	Building 1	1-05603-0199-01	\$217,143.67
	Total Tax on Building		<u>\$217,143.67</u>

Computation – Article 5:

		<u>Square Feet</u>
Numerator:		
Kmart	106,585 s.f. x 70%	<u>74,610</u>

Denominator:		
Building 1		344,671
less: Kmart	100% x 106,585 s.f.	(106,585)
plus: Kmart	70% x 106,585 s.f.	<u>74,610</u>
		<u>312,696</u>

Numerator	74,610
Denominator	<u>312,696</u>
Kmarts pro rata share of tax on building	0.238601131
Tax on buildings	<u>\$217,143.67</u>

Kmarts pro rata share of tax on building \$51,810.73

Kmart's pro rata share of tax liability against LAND:

	Kmart	acres	6.6542
	Total land	acres	<u>26.5300</u>
	Kmarts pro rata share of tax on land		0.250817942
Sep. 18, 2018	Tax on land	1-05603-0199-00	<u>\$16,457.51</u>
	Kmarts pro rata share of tax on land		<u>\$4,127.84</u>

Total 2018 Tax due \$55,938.56



If the payment made is **not** for the entire amount due, or there is **not** an existing installment agreement, then any remaining amounts owed are the responsibility of the property owner. Interest and penalties will continue to accrue and the property is subject to enforcement in accordance with the Virgin Islands Code, Title 33, Subtitle 2, Chapter 89, Subchapter III (Attachment and sale at auction).

PAYMENT DATE	CASHIER	RECEIPT NUMBER	PAYER INFORMATION	PAYMENT DESCRIPTION	AMOUNT PAID
09/18/2018	Chavanne Pennyf	1536350	TUTU PARK LTD.	Check 015217	217,143.67
				PREVIOUS AMOUNT DUE	217,143.67
				CURRENT BALANCE	0.00



GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE LIEUTENANT GOVERNOR
TAX ASSESSOR'S OFFICE
No. 5049 Kongens Gade #18
Charlotte Amalie, St. Thomas, Virgin Islands 00802-6487

Pay Online: propertytax.vi.gov

NOTICE OF CHANGE OF ASSESSMENT AND REAL PROPERTY TAX BILL

Dear Property Owner,

Your 2018 Notice of Change of Assessment and Real Property Tax Bill has been prepared in a two-part format. If you had an overpayment from your 2017 tax bill, this bill reflects a prepayment. Please pay Balance Due listed below. If there is still an overpayment the additional credit will be applied towards the 2019 tax bill. Wastewater User Fees charges and any outstanding property taxes are explained on the reverse side of this bill.

You may now pay your property tax bill online at <http://propertytax.vi.gov>; or, a return envelope is enclosed for your convenience. If you choose to pay your bill by mail, tear off the lower portion of the tax bill and return it in the enclosed return envelope with your check or money order made payable to the GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS. **DO NOT SEND CASH.**

You may also pay in person by cash, check, money order, or credit card (MasterCard or Visa). The cashier will retain the lower section of your bill.

THE DUE DATE OF THE REAL PROPERTY TAX BILL IS JULY 28, 2018. PAY BY SEPTEMBER 28, 2018 TO AVOID BECOMING DELINQUENT AND INCURRING LATE PAYMENT CHARGES OF ONE (1) PERCENT PER MONTH.

You may file an INFORMAL REVIEW (IR) with the Tax Assessor's Office in your district within 45 calendar days after the issuance of the tax bill by sending an IR Form to propertytaxreview@lgo.vi.gov. You may also mail in the IR Form or you are also invited to visit the Tax Assessor's Office in your district where you can file the IR. Call (340) 776-8505 or visit us at www.ltg.gov.vi for details.

VIC, T 33, § 2451, if aggrieved with this assessment, you may file a FORMAL appeal to the Board of Tax Review, Department of Finance.

ACT 7984 established a minimum tax of \$360 due for any real property with exemptions and credits and Commercial real property to include buildings with five units or more, effective January 1, 2018

2018 REAL PROPERTY BILLS ARE SENT TO THE OWNER AS OF JANUARY 1, 2018.

2018

NOTICE OF CHANGE OF ASSESSMENT AND REAL PROPERTY TAX BILL
GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS
St. Thomas

2018

MALE BUILDING

DESCRIPTION OF PROPERTY							PARCEL NUMBER		
26 ESTATE CHARLOTTE AMALIE No.3 NEW QTR.							1-05603-0199-01		
ASSESSED LAND	ASSESSED IMPROVEMENT	ASSESSED TOTAL	AMOUNT OF TAX	LESS CREDITS	TAX AMOUNT DUE	WASTEWATER USER FEE	AMOUNT DUE	PREPAYMENTS	BALANCE DUE
0	30,540,600	30,540,600	217,143.67	0.00	217,143.67	0.00	217,143.67	0.00	217,143.67

Bill issuance date: Thursday, June 28, 2018

TAX RATE: .007110

TUTU PARK LTD.
Ste 254
4605 Tutu Park Mall
St Thomas, VI 00802

TAX CREDITS APPLIED

REMAINING CREDIT

PROOF OF PAYMENT FOR REAL PROPERTY TAX

If the payment made is **not** for the entire amount due, or there is **not** an existing installment agreement, then any remaining amounts owed are the responsibility of the property owner. Interest and penalties will continue to accrue and the property is subject to enforcement in accordance with the Virgin Islands Code, Title 33, Subtitle 2, Chapter 89, Subchapter III (Attachment and sale at auction).

	DESCRIPTION OF PROPERTY	PARCEL NUMBER
	26 REM ESTATE CHARLOTTE AMALIE NEW QTR	1-05603-0199-00
	PROPERTY OWNER	TAX YEAR
	HARTHMAN LEASING I, LLLP	2018
	PO Box 503330	BILL NUMBER
	ST. THOMAS, VI 00805	21469755-00



**PROOF OF PAYMENT
REAL PROPERTY TAX
GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS**



PAYMENT DATE	CASHIER	RECEIPT NUMBER	PAYER INFORMATION	PAYMENT DESCRIPTION	AMOUNT PAID
09/18/2018	Chavanne Pennyf	1536348	TUTU PARK, LIMITED	Check 015217	16,457.52
				PREVIOUS AMOUNT DUE	16,457.52
				CURRENT BALANCE	0.00

Pay Online: propertytax.vi.gov

NOTICE OF CHANGE OF ASSESSMENT AND REAL PROPERTY TAX BILL

2018 REAL PROPERTY BILLS ARE SENT TO THE OWNER AS OF JANUARY 1, 2018.

2018

Bill issuance date: Thursday, June 28, 2018

TAX RATE: .007110

HARTHMAN LEASING I, LLLP
PO Box 503330
ST. THOMAS, VI 00805

TAX CREDITS APPLIED

REMAINING CREDIT

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802

SEPTEMBER-2018
Water Utility Bill

Kmart – Sears Holding Corp.
Department 824RE
3333 Beverly Road
Hoffman Estate, IL 60179

Billing Date: October 2, 2018

<u>Previous Reading</u>	<u>Meter Reading</u>	<u>Consumption</u>	<u>Rate</u>	<u>Amount Due</u>
7689330 gal.	7729310 gal.	39,980 gal.	0.0277	1,107.45
Total Due:				<u>1,107.45</u>

Please make checks payable to Tutu Park Limited

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802

Water Utility Bill

Kmart – Sears Holding Corp.
Department 824RE
3333 Beverly Road
Hoffman Estate, IL 60179

Billing Date: October 28, 2018

<u>Previous Reading</u>	<u>Meter Reading</u>	<u>Consumption</u>	<u>Rate</u>	<u>Amount Due</u>
7729310 gal.	7773330 gal.	44,020 gal.	0.0277	1,219.35
			Total Due:	<u><u>1,219.35</u></u>

Please make checks payable to Tutu Park Limited

Tutu Park Mall
Kmart
CAM 2017

CAM Security Payroll	434,362.09		
CAM Maintenance Payroll	<u>286,799.05</u>		
	721,161.14		
	<u>25%</u>		
25% allocated to 'outside'		180,290.29	
CAM Parking Lot Maintenance		608.87	
CAM Landscaping		325.50	
CAM Parking Lot Cleaning		<u>42,075.07</u>	
Total 'outside' expenses		223,299.73	
		<u>30.9237%</u>	
Amount Due			<u>69,052.54</u>

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802

Water Utility Bill

Kmart – Sears Holding Corp.
Department 824RE
3333 Beverly Road
Hoffman Estate, IL 60179

Billing Date: November 21,2018

<u>Previous Reading</u>	<u>Meter Reading</u>	<u>Consumption</u>	<u>Rate</u>	<u>Amount Due</u>
7773330 gal.	7825120 gal.	51,790 gal.	0.0277	1,434.58
Total Due:				<u>1,434.58</u>

Please make checks payable to Tutu Park Limited

TUTU PARK LTD
(DUNS NUMBER: 00-000-0000)

BANK NO: 12

CHECK DATE : 12/10/2018
CHECK NUMBER: 140049479
CHECK AMOUNT: 11,954.01

* PLEASE RENDER STATEMENT EACH MONTH SHOWING ALL PAST DUE INVOICES AND CREDITS. STORE AND INVOICE NUMBER MUST BE SHOWN
* OPPOSITE EACH CHARGE. ADDRESS ALL CORRESPONDENCE CONCERNING REMITTANCES TO A/P AUDIT DEPARTMENT.

STORE NO.	DOCUMENT NUMBER	P.O. NUMBER / FICHE NO(*)	DOC. DATE	ENTRY CODE	DOCUMENT AMOUNT	DISCOUNT AMOUNT	DISCOUNT % CODE	DEPT NO.
3829	PT99694		12/06/18		11,954.01	.00		400
— PAYMENT RECEIVED —								
DOCUMENT TOTAL		DISCOUNT TOTAL		1099 WTAX TOTAL		NET AMOUNT		
11,954.01		.00		.00		11,954.01		

DISCOUNT CODE: A. ANTICIPATION C. CASH F. FREIGHT T. TRADE

SEARS DEBTOR IN POSSESSION

Bank of America

64-1278/611

CHECK NUMBER: 140049479

PAY: ELEVEN THOUSAND NINE HUNDRED FIFTY-FOUR AND 01/100 DOLLARS

TO THE
ORDER OF

TUTU PARK LTD
4605 TUTU PARK MALL, SUITE 254
ST THOMAS VI 00802

CHECK DATE

12/10/2018

VOID AFTER 6 MONTHS

CHECK AMOUNT

\$11,954.01

THIS DOCUMENT IS PRINTED IN BLUE INK AND CONTAINS SECURITY FEATURES ON BOTH SIDES. DO NOT ACCEPT UNLESS THESE SECURITY FEATURES ARE PRESENT.

⑈140049479⑈ ⑆061112788⑆3359990986⑈

00756 140049479 00000000000 012 00000000000

See reverse side for opening instructions.

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802

Water Utility Bill

Kmart – Sears Holding Corp.
Department 824RE
3333 Beverly Road
Hoffman Estate, IL 60179

Billing Date: December 21,2018

<u>Previous Reading</u>	<u>Meter Reading</u>	<u>Consumption</u>	<u>Rate</u>	<u>Amount Due</u>
7825120 gal.	7884970 gal.	59,850 gal.	0.0277	1,657.85
Total Due:				<u><u>1,657.85</u></u>

Please make checks payable to Tutu Park Limited

Tutu Park, Ltd.
4605 Tutu Park Mall, Ste 254
St. Thomas, VI 00802

Water Utility Bill

Kmart – Sears Holding Corp.
Department 824RE
3333 Beverly Road
Hoffman Estate, IL 60179

Billing Date: January 22, 2019

<u>Previous Reading</u>	<u>Meter Reading</u>	<u>Consumption</u>	<u>Rate</u>	<u>Amount Due</u>
7884970 gal.	7946890 gal.	61,920 gal.	0.0277	1,715.18
Total Due:				<u>1,715.18</u>

Please make checks payable to Tutu Park Limited